

Stephen D. Finestone (125675)
Ryan A. Witthans (301432)
FINESTONE HAYES LLP
456 Montgomery Street, Floor 20
San Francisco, CA 94104
Tel.: (415) 616-0466
Fax: (415) 398-2820
Email: sfinestone@fhllawllp.com
Email: rwitthans@fhllawllp.com

Attorneys for Debtor,
Evander Frank Kane

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re

EVANDER FRANK KANE,

Debtor.

Case No. 21-50028-SLJ
Chapter 7

**NOTICE OF APPEAL AND
STATEMENT OF ELECTION¹**

Evander Frank Kane (“Kane,” the “Debtor,” or the “Appellant”), the debtor in the above-captioned Chapter 7 bankruptcy case, hereby appeals from the Bankruptcy Court’s decision finding that Kane’s exemption in real property located at 2301 Richland Avenue, San Jose, CA 95125 (the “San Jose Property”), is limited to \$170,350.

I. APPEALED DECISION

The appealed decision is as follows: *Order on Zions Bancorporation’s Objection to Debtor’s Homestead Exemption*, attached hereto as **Exhibit A** and entered on the docket at ECF 178 on July 9, 2021.

II. PARTIES TO THE APPEAL

The parties to the appeal are as follows:

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¹ Unless specified otherwise, all chapter and code references are to the Bankruptcy Code, 11 U.S.C. §§ 101–1532. “Bankruptcy Rule” references are to the Federal Rules of Bankruptcy Procedure and “B.L.R.” references are to the Bankruptcy Local Rules for the Northern District of California. “ECF” references are to the docket in the above-captioned proceeding.

1 Evander Frank Kane (Debtor and Appellant), represented by:

2 Stephen D. Finestone (125675)
3 Ryan A. Witthans (301432)
4 FINESTONE HAYES LLP
5 456 Montgomery Street, Floor 20
6 San Francisco, CA 94104
7 Tel.: (415) 616-0466
8 Fax: (415) 398-2820
9 Email: sfinestone@fhllawllp.com
10 Email: rwitthans@fhllawllp.com

11 Zions Bancorporation, N.A., *dba* California Bank & Trust, represented by:

12 Michael Gerard Fletcher (State Bar No. 070849)
13 mfletcher@frandzel.com
14 Gerrick M. Warrington (State Bar No. 294890)
15 gwarrington@frandzel.com
16 FRANDZEL ROBINS BLOOM & CSATO, L.C.
17 1000 Wilshire Boulevard, Nineteenth Floor
18 Los Angeles, California 90017-2427
19 Telephone: (323) 852-1000
20 Facsimile: (323) 651-2577

21 Professional Bank (joinder at ECF 85, 86), represented by:

22 Stephen G. Opperwall (SBN 100057)
23 LAW OFFICES OF STEPHEN G. OPPERWALL
24 4900 Hopyard Road, Suite 100
25 Pleasanton, California 94588
26 Telephone: (925) 417-0300
27 Facsimile: (925) 417-0301
28 E-mail: steve.opperwall@comcast.net

South River Capital, LLC (joinder at ECF 89), represented by:

Heinz Binder, Esq. (SBN 87908)
David B. Rao (SN#103147))
BINDER & MALTER, LLP
2775 Park Avenue
Santa Clara, CA 95050
T: (408) 295-1700
F: (408) 295-1531
Email: heinz@bindermalter.com
Email: david@bindermalter.com

Centennial Bank (*see* ECF 82, 103, 132),² represented by:

² Centennial Bank did not expressly join Zions' objection which underlies the presently appealed order, but it did join Professional Bank's similar objection to Kane's homestead
NOTICE OF APPEAL AND STATEMENT OF ELECTION

1 ANTHONY & PARTNERS, LLC
2 JOHN A. ANTHONY (SBN0731013)
3 janthony@anthonyandpartners.com
4 ANDREW J. GHEKAS (SBN 0119169)
5 aghekas@anthonyandpartners.com
6 100 S. Ashley Drive, Suite 1600
7 Tampa, Florida 33602
8 Telephone: 813.273.5616
9 Facsimile: 813.221.4113

6 COOPER, WHITE & COOPER LLP
7 PETER C. CALIFANO (SBN 129043)
8 pcalifano@cwclaw.com
9 201 California Street, 17th Floor
10 San Francisco, California 94111
11 Telephone: 415.433.1900
12 Facsimile: 415.433.5530

10 III.STATEMENT OF ELECTION

11 Kane elects to have the appeal heard by the Bankruptcy Appellate Panel.

13 Dated July 23, 2021

FINESTONE HAYES LLP

14 /s/ Stephen D. Finestone

15 Stephen D. Finestone

16 Attorneys for Debtor, Evander Frank Kane

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27 exemption. ECF 82, 103, 132. Centennial Bank is listed as a party to this appeal because it
28 appeared at the hearing on Zions' objection. Docket text dated June 9, 2021 ("Hearing Held . . .
Peter Califano appearing for Centennial Bank.").

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